

IN THE COURT OF THE ADDITIONAL SPECIAL SESSIONS JUDGE,  
(SPE/CBI)-III, ERNAKULAM

Present :-

**SRI.SHIBU THOMAS, SPECIAL JUDGE.**

Friday, the 27<sup>th</sup> day of October, 2023/ 5<sup>th</sup> Karthika, 1945.

**Crl. M.P. No. 1067 of 2023**

in

**S C No. 421/2017**

**Petitioners/Accused No.33**

P. Jayarajan, S/o Kunhircaman, aged 67 years,  
Residing at Kairali, Pookode P.O., Pattiyam Amsom,  
Kongatta Desom, Thalasseery Taluk,  
Kannur District – 670643.

*(By Adv. Sri. K. Viswan)*

**Respondent/Complainant**

The Central Bureau of Investigation, Special Crime Branch,  
Thiruvananthapuram, represented by Public Prosecutor – CBI.

*(By Adv. Sri. M. Navas, Public Prosecutor)*

This petition coming on for hearing on 26<sup>th</sup> day of October, 2023 in the presence of Counsel on both sides and having stood over for consideration till day the Court passed the following:

**O R D E R**

Petition filed by the 33rd accused seeking permission to leave India in compliance with the order of this Court in Crl. M.P.2614/2023 dated 12.10.2023

2. As per the order in Crl. M.P. 2614/2023, passport of the petitioner was released to him. In compliance of the order, the petitioner

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had executed bond for releasing the passport. He has also obtained visa for going abroad to meet his son. As per the condition imposed in the said order, petitioner is required to obtain permission of this Court to leave India. Hence this petition.

3. Respondent filed objection stating that petitioner is facing serious indictment in connection with the brutal murder of the victim in this case. Petitioner has no urgency to meet his son and also the discharge application filed by the petitioner is under hearing by this Court. Hence the presence of the petitioner is highly warranted for the successful prosecution of the case. The grounds stated in the petition are frivolous. Hence prayed to dismiss the petition.

4. Heard both sides.

5. The point for determination is, Whether there is sufficient ground to allow the petition?

**6. The point**:- I have gone through the copy of visa and flight ticket produced along with the petition. Petition is filed to leave India to meet his son who is working abroad. Petitioner's request is based on his family tie as his son is working abroad. Petitioner has also produced his contact number and the full address where he is going to reside in abroad. In such circumstances, I am of the view that petition can be allowed and permission can be granted to the petitioner to leave India on

28.10.2023 and in compliance with the conditions in the order in CrI. M.P. 2614/2023, the petitioner shall appear before this Court and surrender his passport on or before 13.11.2023.

In the result, petition allowed with conditions:-

1. Petitioner shall personally appear before Court on 13.11.2023.
2. He shall surrender his passport on or before 13.11.2023.
3. Petitioner must adhere strictly to the other conditions imposed in the original bail order without any deviation.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in open Court on this the 27<sup>th</sup> day of October, 2023.

**SHIBU THOMAS**

**Special Judge, (SPE/CBI) – III**

Appendix:- Nil

**Special Judge, (SPE/CBI)-III.**

Typed by:-  
Compd by:-